**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.**

Writ Petition No. 711 (S/S) of 2006

1. Suresh Kumar, S/o Sri Gyani Singh.
2. Raj Kumar Saxena, S/o Sri Krishna Chandra Saxena.
3. Gauri Shankar, S/o Sri Babu Ram.

All presently working as IW Warders at Sub Jail, Haldwani, District – Nainital.

**……..Petitioners**

V e r s u s

1. State of Uttaranchal through Principal Secretary, Home / Jail, Government of Uttaranchal, Dehradun.
2. Inspector General of Jail, Uttaranchal, Dehradun.
3. State of U.P., through Principal Secretary, U.P. Administration & Reforms Section I, Lucknow, U.P.
4. Director General, Jail / Administration & Reforms Services U.P., Lucknow.

**…….Respondents**

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri P.C. Bisht, learned counsel for the petitioners, learned standing counsel for State of Uttaranchal on behalf of respondents no. 1 and 2 and Smt. Beena Pandey, learned standing counsel for State of Uttaranchal on behalf of respondents no. 3 and 4.

Learned counsel for both the parties have submitted the controversy raised in the present writ petition is squarely covered by the judgment and order dated 17.04.2006 passed by this Court in Writ Petition No. 509 (SS) of 2006 (Badri Prasad Vs. State of Uttaranchal and others), as such, the present writ petition may be disposed of on the same terms and conditions of the aforesaid judgment.

Learned counsel for the petitioners has submitted that petitioners are working on the post of IW Jail Warders at Sub Jail, Haldwani and they are permanent residents of State of U.P. and had opted for State of U.P.

He has further submitted that final allocation has already been made and the petiitoenrs have been allocated to State of U.P. vide order passed in the year 2005. in spite of this, petitioner are not being relieved for State of U.P. and as such, respondents may be directed to take appropriate decision in respect of petitioners for relieving to State of U.P. in view of final allocation list.

In view of the aforesaid circumstances and the aforesaid judgment passed by this court, I direct the respondent nos. 1 and 2 to take decision in the matter of petitioners for relieving them to State of U.P. in pursuance to the final allocation list made in the year 2005 as early as possible.

With this direction, the writ petition is disposed of. No order as to costs.

**(M.M. Ghildiyal, J.)**

May 25, 2006
SKSharma